IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 21305 of 2005(J)

PETITIONER:

V.S. BINDU, AGED 32 YEARS,
D/O. VIDHURAN, KIZHAKKETHIL HOUSE, PULLANIVILA,
ERATH VILLAGE, ADOOR, PATHANAMTHITTA.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY CHIEF SECRETARY.

2. DIRECTOR,
DEPT. OF EDUCATION, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

3. DISTRICT EDUCATIONAL OFFICER,
KOTTARAKKARA.

4. ASST. EDUCATIONAL OFFICER,
SASTHAMKOTTA.

5. THE MANAGER,
RKUPS, ANAYADI, SHOORANAD, KOLLAM.

6. K.S. SINDU,
PUTHENVEEDU, ANGADICKAL SOUTH, KODUMON.

R1 TO R4 BY GOVERNMENT PLEADER SRI. T.T. MUHAMMED.
R5 BY SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.21305 OF 2005

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Dated this the 13th day of February, 2007

JUDGMENT

The prayer in the writ petition is for a direction to the fourth respondent Manager to appoint the petitioner in the next arising vacancy in the School.

2. The case of the petitioner is that petitioner was appointed along with the sixth respondent in anticipated vacancies. But it is not in dispute that when staff fixation order came, there is only one vacancy. Manager preferred the sixth respondent and the appointment of the sixth respondent is approved.

3. Petitioner apparently, as on today, does not have any approved service so as to lay claim under Rule 51A. But at the same time, learned counsel appearing for the fifth respondent Manager would submit that vacancies are to arise in the year 2008 and if the petitioner files a representation to the Manager, the Manager will consider the case in accordance with law.

Accordingly, if the petitioner files a representation before the

fifth respondent, the fifth respondent will consider the case of the petitioner in accordance with law . Learned counsel for the petitioner submits that the representation will be submitted by the petitioner within one month from today.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.